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10 United States of America

11
12 IN THE UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

CASE NO. 1:22-CR-00207-JLT-SKO

15 Plaintiff,

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

16 v.

17 J. DESHAWN TORRENCE,

DATE: September 24, 2024

18 Defendant.

TIME: 8:30 a.m.

19 COURT: Hon. Jennifer L. Thurston

20 STIPULATION

21 Plaintiff United States of America, by and through its counsel of record, and defendants, by and
22 through defendants' counsel of record, hereby stipulate as follows:

23 1. By previous order, this matter was set for trial on September 24, 2024.

24 2. By this stipulation, defendant now moves to continue the trial until January 14, 2025, and
25 to exclude time between September 24, 2024, and January 14, 2025, under 18 U.S.C. § 3161(h)(7)(A),
B(iv) [Local Code T4].

26 3. The parties agree and stipulate, and request that the Court find the following:

27 a) The government has represented that the discovery associated with this case

1 consists of 80,671 pages of material, some of which was recently produced in connection with a
2 new charge relating to a new victim, as alleged in a superseding indictment which was returned
3 on June 6, 2024. The government has further represented to the defense that its investigation is
4 ongoing.

5 b) Counsel for defendant requires additional time to review the additional discovery
6 material and consult with his client.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny them the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) Counsel for the parties further agree that a continuance is necessary to
11 accommodate the trial schedule of counsel. In the next week or two, counsel for defendant is
12 starting a lengthy trial in Madera County Superior Court involving 96 counts of alleged sexual
13 misconduct by a correctional officer. On October 4, 2024, co-counsel for the government is
14 committed the retrial of a high-profile civil rights case.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of September 24, 2024 to January 14,
20 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
21 T4] because it results from a continuance granted by the Court at defendant's request on the basis
22 of the Court's finding that the ends of justice served by taking such action outweigh the best
23 interest of the public and the defendants in a speedy trial.

24 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
25 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
26 must commence.

27 IT IS SO STIPULATED.
28

1 Dated: July 25, 2024

PHILLIP A. TALBERT
United States Attorney

5 Dated: July 25, 2024

2 /s/ KAREN A. ESCOBAR

3 KAREN A. ESCOBAR
4 Assistant United States Attorney

7 Dated: July 25, 2024

8 /s/ MICHAEL J. SONGER

9 MICHAEL J. SONGER
Special Litigation Counsel
U.S. Department of Justice
Criminal Section, Civil Rights Division

10 Dated: July 25, 2024

11 /s/ Roger D. Wilson

12 ROGER D. WILSON
13 Counsel for Defendant J. DeShawn Torrence

14
15 ORDER

16 IT IS SO FOUND.

17 IT IS SO ORDERED.

18 Dated: July 26, 2024

19 
20 UNITED STATES DISTRICT JUDGE